

AMENDED IN SENATE MARCH 22, 2004

SENATE BILL

No. 1493

Introduced by Senator Vasconcellos

February 19, 2004

An act to amend Section ~~115921~~ 116025 of the Health and Safety Code, relating to swimming pools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1493, as amended, Vasconcellos. ~~Swimming~~ Public swimming pools: ~~natural aquatic area~~ naturally occurring geothermal source.

Existing law, the Swimming Pool Safety Act, defines "swimming pool" or "pool" for the purposes of provisions regulating health and safety aspects of swimming pools, including, but not limited to, public swimming pools.

Existing law requires the State Department of Health Services to supervise the sanitation, healthfulness, and safety of public swimming pools, as defined.

This bill would exempt from these provisions ~~a natural aquatic area or a naturally occurring body of water~~ any facility that receives its water from tanks used for cooling and storage of water that has been supplied from a naturally occurring geothermal source that produces water at temperatures in excess of 130° Fahrenheit.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. ~~Section 115921 of the Health and Safety Code~~
2

1 SECTION 1. *Section 116025 of the Health and Safety Code is*
2 *amended to read:*

3 116025. “Public swimming pool,” as used in this article,
4 means any public swimming pool, bathhouse, public swimming
5 and bathing place and all related appurtenances. “*Public*
6 *swimming pool*,” as used in this article, *does not include any*
7 *facility that receives its water from tanks used for the cooling and*
8 *storage of water that has been supplied from a naturally occurring*
9 *geothermal source that produces water at temperatures in excess*
10 *of 130 degrees Fahrenheit.*

11 is amended to read:

12 115921. ~~As used in this article the following terms have the~~
13 ~~following meanings:~~

14 ~~(a) “Swimming pool” or “pool” means any structure intended~~
15 ~~for swimming or recreational bathing that contains water over 18~~
16 ~~inches deep. “Swimming pool” includes in-ground and~~
17 ~~above-ground structures and includes, but is not limited to, hot~~
18 ~~tubs, spas, portable spas, and nonportable wading pools.~~
19 ~~“Swimming pool” or “pool” does not mean a natural aquatic area~~
20 ~~or a naturally occurring body of water.~~

21 ~~(b) “Public swimming pool” means a swimming pool operated~~
22 ~~for the use of the general public with or without charge, or for the~~
23 ~~use of the members and guests of a private club. Public swimming~~
24 ~~pool does not include a swimming pool located on the grounds of~~
25 ~~a private single-family home.~~

26 ~~(c) “Enclosure” means a fence, wall, or other barrier that~~
27 ~~isolates a swimming pool from access to the home.~~

28 ~~(d) “Approved safety pool cover” means a manually or~~
29 ~~power-operated safety pool cover that meets all of the performance~~
30 ~~standards of the American Society for Testing and Materials~~
31 ~~(ASTM), in compliance with standard F1346-91.~~

32 ~~(e) “Exit alarms” means devices that make audible,~~
33 ~~continuous alarm sounds when any door or window, that permits~~
34 ~~access from the residence to the pool area that is without any~~
35 ~~intervening enclosure, is opened or is left ajar. Exit alarms may be~~
36 ~~battery operated or may be connected to the electrical wiring of the~~
37 ~~building.~~